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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional working group
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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the second periodic report of Panama concerning the rights covered by articles 1-15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/6/Add.24)

I. GENERAL INFORMATION

1. In the light of the Committee's decision to give effect to its follow-up procedure in the framework of the consideration of reports, the Committee would appreciate information on the specific measures that the State party has undertaken to implement the suggestions and recommendations contained in its concluding observations (E/C.12/1995/8) on the State party's initial report.

2. Please provide information on the status of the Covenant in the domestic legal order, and whether the rights contained in the Covenant are applicable by national courts of law.

3. Please indicate the position of the Government of Panama with regard to the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights.

4. Please describe the role and functioning of the Ombudsman's Office set up in 1996, in particular with regard to economic, social and cultural rights.

5. The Committee would appreciate receiving information on the occurrence of discrimination, in particular discrimination against women, and on the measures taken by the State party to combat these practices.

6. Does the State party ensure that its obligations under the Covenant are taken fully into account when it enters into negotiations concerning international assistance, technical cooperation and other arrangements with international organizations, in particular with the international financial institutions?

II. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. Right to work

7. Please provide statistics, by sector, age and sex, on unemployment over the past five years.

8. What percentage of the economically active population work in the agricultural, industrial and service sectors?

Article 7. Right to just and favourable conditions of work

9. When does the State party envisage ratifying the following International Labour Organization's (ILO) conventions:

Convention No. 14 on weekly rest in industrial undertakings;

Convention No. 106 on weekly rest in commerce and offices;

Convention No. 129 on labour inspection in agriculture;

Convention No. 131 on minimum wage fixing;

Convention No. 132 on holidays with pay;

Convention No. 155 on safety and health.

10. In paragraph 31 of the State party's report, it is stated that the unemployment rate is 20 per cent for women and 11.3 per cent for men. Please indicate any reasons for this discrepancy and whether there have been any changes in these rates.

11. Please indicate whether the Ministry for Young People, Women, Children and the Family, referred to in paragraph 35 of the report, has finally been established. What are its terms of reference?

12. Please provide information on the number of industrial accidents and on preventive measures and penalties for companies that may be responsible, over the past five-year period.

Article 8. Trade union rights

13. Please indicate whether the State party intends to ratify ILO Convention No. 151 concerning labour relations in the public service.

14. Is the right of civil servants to strike recognized in the regulations relating to the civil service referred to in article 2 of the Labour Code?

15. Which groups of workers do not have the right to strike? What are the reasons for this restriction?

Article 9. Right to social security

16. What is the legal nature of the Social Security Fund? And what sectors are represented on its governing body? Please indicate the number of people, and the percentage of the total population, covered by the Social Security Fund.

Article 10. Protection of the family, mothers and children

17. Please indicate whether the State party intends to ratify ILO Convention No. 103 concerning maternity protection.

18. Please provide information on the measures that have been taken by the State party to address and prevent acts of domestic violence, to punish offenders and to support victims.

19. Are there systematic action programmes to combat the exploitation of minors and, in particular, child prostitution?

20. Are there systematic campaigns and programmes to prevent drug addiction among minors and to rehabilitate young addicts?

Article 11. Right to an adequate standard of living

21. Please provide statistics for the past five years on income distribution, poverty and extreme poverty.

22. According to paragraph 225 of the report, 44 per cent of the 1996 budget was allocated to social expenditure. Please indicate what proportion of the budgets for 1997, 1998 and 1999 was allocated for this purpose.

23. Please provide relevant statistics over the past five years on the number of children and adults suffering from malnutrition.

24. In paragraph 178 of the report, mention is made of 13 food and nutrition programmes and campaigns, but it is not specified how they are funded. Please indicate the number of persons working and cared for under each of the main programmes and campaigns mentioned. Furthermore, has the State party taken note of the Committee's General Comment No. 12 on the right to food when formulating policies and programmes concerning food and nutrition?

25. In paragraph 212 of the report, it is stated that the "nutritional situation of the Panamanian population has been deteriorating, as a result of the socio-economic crisis". What effects has the recent growth of the national economy had on the nutritional situation of vulnerable groups in society, in particular young people?

26. What measures has the State party taken with regard to the recommendations concerning the right to housing made by the Committee in its concluding observations (E/C.12/1995/8)?

27. In August 1995, the President of the Republic vetoed a Legislative Assembly act on the statutory minimum size ($42m^2$) for public housing units. Kindly provide information on the outcome of the presidential veto of this act.

28. Please indicate the results of the legislative process initiated in order to delimit the comarca of the Ngöbe-Buglé people in the provinces of Bocas del Toro, Chiriquí and Veraguas.

29. Has a national social housing plan been established specifying the programmes and activities to be carried out by various governmental agencies?

Article 12. Right to health

30. Please provide relevant and disaggregated statistics on the main causes of mortality and on the measures being taken by the State party to address these causes.

31. What are the problems in Panama with regard to abortion and what are the measures taken by the State party to deal with these problems?

32. How does the State party address the problem of drug addiction? In particular, what measures are being taken concerning the treatment of drug addicts?

33. Please provide information on the number of persons living with HIV/AIDS over the past five years and on the measures being taken by the State party to address the problem.

34. According to paragraph 281 of the report, between 1990 and 1997 the National Psychiatric Hospital reduced the number of its beds by 60 per cent. What was the reason for this cutback in an essential service? And what measures have been taken by the Government to deal with patients in need of beds?

Articles 13 and 14. Right to education

35. Does the fact that primary education is free also mean that textbooks and school equipment are free, in accordance with the Committee's General Comments Nos. 11 and 13, on plans of action for primary education and on the right to education respectively?

36. According to paragraph 313 of the report, secondary education is not free, as called for in the Education (Organization) Act. Please indicate the measures that the State party has taken to ensure cost-free secondary education.

37. Please provide statistics for the past five years on the percentage of the population pursuing university studies and on the percentage completing their courses.

38. What percentage of the population is pursuing university studies abroad?

39. Please indicate the percentage of government funding allocated to private universities over the past five-year period.

Article 15. Right to take part in cultural life

40. What have been the results of the activities of the National Institute of Culture (INAC), over the past five-year period?

41. Please briefly describe the structure, functioning and funding of television in Panama, indicating whether there are any channels or programmes aimed at popularizing culture.

42. How many cultural centres for indigenous minorities are there? How are they funded and organized?

43. Which public organizations or programmes engage in the study and teaching of the indigenous languages, in accordance with the objectives set out in article 84 of the Constitution?

44. Article 86 of the Constitution calls for the establishment of an institution devoted to the protection of indigenous cultures and languages. Has this provision been implemented? If so, what have been the results of that institution's activities?